



Prosper is a place where everyone matters.

MINUTES

Prosper Town Council Meeting
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, February 14, 2023

Call to Order/ Roll Call.

The meeting was called to order at 4:15 p.m.

Council Members Present:

Mayor David F. Bristol
Mayor Pro-Tem Jeff Hodges
Deputy Mayor Pro-Tem Craig Andres
Councilmember Marcus E. Ray
Councilmember Amy Bartley
Councilmember Charles Cotten

Council Members Absent:

Councilmember Chris Kern

Staff Members Present:

Bob Scott, Interim Town Manager
Michelle Lewis Sirianni, Town Secretary
Terry Welch, Town Attorney
Robyn Battle, Executive Director of Community Services
Chuck Ewings, Executive Director of Development and Infrastructure Services
Hulon Webb, Engineering Director
Dan Heischman, Assistant Director of Engineering Services
Chris Landrum, Finance Director
David Soto, Planning Manager
Leigh Johnson, IT Director
Frank Jaromin, Public Works Director
Dan Baker, Parks and Recreation Director
Whitney Rehm, Grants Administrator
Mary Ann Moon, EDC Executive Director
Todd Rice, Communications Manager
Stuart Blasingame, Fire Chief
Scott Brewer, Assistant Police Chief

Invocation, Pledge of Allegiance and Pledge to the Texas Flag.

Mike Martin with Hope Fellowship Church led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

Announcements of recent and upcoming events.

Councilmember Cotten made the following announcements:

Join us on Saturday, February 18 from 9 to 11 a.m. for the Prosper Fishing Derby at the Frontier Park Pond, located at 1551 Frontier Pkwy. The Prosper Fishing Derby is a friendly competition for kids and a relaxing morning for the entire family. Judges will be stationed around the pond to chart fish caught and prizes will be awarded at 11 a.m. The event is free of charge and registration is not required.

The Downtown Prosper Park Public Input Survey is underway. Town residents and Prosper business owners are encouraged to watch a descriptive video and respond to the survey to share thoughts and visions for the park. Developing the Downtown Prosper Park will add an exciting, yet passive, dimension to the revitalization of the downtown area. Residents may access the video and survey through the Parks and Recreation page on the Town's website. The survey will remain open through March 1.

Get to know your local police officers and connect with your neighbors over coffee and a casual conversation. Bring the kids along and feel free to ask questions while you're here! This event will take place on Wednesday, March 1 from 7:30-9:30 a.m. at 1418 Coffee in Downtown Prosper located at 102 East Broadway.

Mayor Bristol recognized and presented Mr. Scott with a Mayor's Coin for serving as Interim Town Manager.

CONSENT AGENDA:

Items placed on the Consent Agenda are considered routine in nature and non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda by the request of Council Members or staff.

1. **Consider and act upon the minutes from the January 24, 2023, Town Council Work Session meeting. (MLS)**
2. **Consider and act upon the minutes from the January 24, 2023, Town Council Regular meeting. (MLS)**
3. **Consider and act upon Ordinance 2023-14 ordering a General Election to be held on May 6, 2023, for the purpose of electing a Councilmember Place 3 and Councilmember Place 5; designating location of polling places; ordering notices of election to be given as prescribed by law and authorizing the Interim Town Manager to execute contracts with Collin County and Denton County Election Departments for joint election services. (MLS)**
4. **Consider and act upon Ordinance 2023-15 by the Town Council, acting as the Board of Directors of the Crime Control and Prevention District, ordering a Special Election to be held May 6, 2023, for the purpose of submitting to the qualified voters a referendum on the continuation of the Town of Prosper Crime Control and Prevention District for twenty (20) years, and a sales and use tax at the rate of one-fourth of one percent dedicated to crime control and prevention programs. (MLS)**
5. **Consider and act upon Ordinance 2023-16 by the Town Council, acting as the Board of Directors of the Fire Control, Prevention and Emergency Medical Services District, ordering a Special Election to be held May 6, 2023, for the purpose of submitting to the qualified voters a referendum on the continuation of the Town of Prosper Fire Control, Prevention and Emergency Medical Services District for twenty (20) years, and a sales and use tax at the rate of one-fourth of one percent dedicated to fire safety and emergency medical services programs. (MLS)**
6. **Consider and act upon approving the purchase of a subscription for weather alert software (web + mobile) from Perry Weather Consulting, Inc., for Frontier Park, Folsom Park, and Eagles Landing Park, and authorizing the Interim Town Manager to execute documents for the same. (DB)**

7. Consider and act upon approving the purchase of Public Safety, Firehouse Supplies, and Equipment through the Texas Local Government Purchasing Cooperative from GT Distributors, Inc. (SB)
8. Consider and act upon approving a unit price, as needed contract, between DHS Automation Inc., a sole source provider, and the Town of Prosper, Texas, related to SCADA, maintenance, and water and wastewater electrical services and repair; and authorizing the Interim Town Manager to execute documents for the same. (FJ)
9. Consider and act upon approving the purchase and installation of streetlights from Groves Electrical Services, Inc., through the Texas Local Government Purchasing Cooperative; and authorizing the Interim Town Manager to execute documents for the same. (FJ)
10. Consider and act upon the purchase of ammunition and range supplies from GT Distributors Inc., utilizing the Buyboard Contract #603-20; and authorizing the Interim Town Manager to execute documents for same. (DK)
11. Consider and act upon Resolution 2023-17 authorizing the Interim Town Manager, and/or his/her designee, to apply for the Office of the Governor, FY 2024 Criminal Justice Division, General Victim Assistance Grant Program and consider and act upon authorizing the Interim Town Manager and/or his/her designee to accept the Office of the Governor, FY 2024 Criminal Justice Division, General Victim Assistance Grant Program upon award. (DK)
12. Consider and act upon authorizing the Interim Town Manager, and/or his/her designee, to accept the award for the Office of the Governor, Criminal Justice Division, Bullet Resistant Shield Grant Program, FY2023. (DK)
13. Consider and act upon Resolution 2023-18 authorizing the Interim Town Manager, and/or his/her designee, to apply for the Office of the Governor, Homeland Security Grants Division, 2022 SHSP – Town of Prosper SWAT Communication Headsets Project Grant and consider and act upon authorizing acceptance of the Office of the Governor, Homeland Security Grants Division, 2022 SHSP – Town of Prosper SWAT Communication Headsets Project Grant, if awarded. (DK)
14. Consider and act upon awarding RFP No. 2022-57-B Comprehensive Broadband Analysis to Lit Communities, related to the EDA Prosper Subregional Broadband Assessment & Strategy Project, and authorizing the Interim Town Manager execute an agreement for the same. (MM)
15. Consider and act upon authorizing the Interim Town Manager to execute a Professional Engineering Services Agreement between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the Water, Wastewater, and Roadway Impact Fee Update project. (HW)
16. Consider and act upon authorizing the Interim Town Manager to execute Contract Amendment No. 2 to the Professional Services Agreement, between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the design of the Custer Road Pipeline and Meter Vault Relocation project. (HW)
17. Consider and act upon Ordinance 2023-19 granting a non-exclusive gas franchise to Atmos Energy Corporation and repealing Ordinance No. 2023-02. (RBS)

18. Consider authorizing the Interim Town Manager to execute on behalf of the Town settlement documentation relative to the State of Texas' and other governmental entities' litigation against Allergan, CVS, Walmart and Walgreens for the marketing, sale and dispensing of opioids, and to take all actions incident and related thereto. (TW)
19. Consider and act upon Ordinance 2023-20 to rezone 0.177± acres from Single Family-15 (SF-15) to Downtown Office (DTO), on Lots 10A & 11B, located on the north side of Broadway Street, east of Coleman Street. (Z22-0017). (DS))

Councilmember Ray requested to pull item 18.

Councilmember Ray made a motion to approve consent agenda items 1 through 17 and 19. Mayor Pro-Tem Hodges seconded that motion, and the motion was unanimously approved.

Councilmember Ray left the dais.

Councilmember Bartley made a motion to approve consent agenda item 18. Councilmember Cotten seconded that motion, and the motion passed with a 5-0 vote.

Councilmember Ray returned to the dais.

CITIZEN COMMENTS

No comments were made.

There were no regular session items.

Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.

Councilmember Ray requested an update on the medians and luminaries on Preston Road.

Councilmember Cotten requested to schedule a Capital Improvements Sub Committee meeting to discuss CIP projects.

EXECUTIVE SESSION:

Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:

Section 551.087 – To discuss and consider economic development incentives and all matters incident and related thereto.

Section 551.072 – To discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.

Section 551.074 – To discuss and consider personnel matters and all matters incident and related thereto.

Section 551.074 - To discuss appointments to the Board of Adjustment/Construction Board of Appeals, Parks & Recreation Board, Library Board, Prosper Economic Development Corporation Board, Planning & Zoning Commission, and the Community Engagement Committee, and all matters incident and related thereto.

Section 551.071 - Litigation update.

The Town Council recessed into Executive Session at 4:26 p.m.

Reconvene in Regular Session and take any action necessary as a result of the Closed Session.

The Town Council reconvened into Regular Session at 6:06 p.m.

Mayor Pro-Tem Hodges made a motion to appoint Cameron Reeves to the Planning and Zoning Commission. Councilmember Bartley seconded that motion. Motion passed with a 5-0 vote. Councilmember Cotten was not present during the vote.

Adjourn.

The meeting was adjourned at 6:06 p.m.

These minutes approved on the 28th day of February 2023.

APPROVED:

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary